

		<b>RI Mercury Reduction Commission</b> <b>5/14/2004</b> <b>10:00 AM to 11:30 AM</b> <b>RI DEM Conference Room A in Providence RI</b>	
<b>Type of meeting:</b>	Meeting #1		<b>Note:</b> Open Action Items Summarized On Last Page
<b>Attendees:</b>	Commission Members Present: Marcella Thompson (Chair), Peter Bleasby, Kate Canada, Sheila Dormody, Terrance Gray, Susan Kaplan (for Michael McMahon), Andrew Knapp, Jason Linnel, Jamie Magnani (for Dan Beardsley), Nicholas Tsiongas, and Robert Vanderslice (for Patrician Nolan).  Commission Members Excused: Eugenia Marks, Sherry Mulhearn, and Howard Rosenberg  Commission’s Keeper of the Notes: Elizabeth Stone  Guests: Ron Gagnon, Alicia Karpick, Beverly Migliore, Joan Milas, Mika Nagasaki		
<b>----- Agenda Topics -----</b>			
<b>Agenda Review &amp; Introduction of Commission Members</b>			
	<b>Discussion:</b>		
	Call to order by Marcella Thompson, Commission Chair at 10:05 am. Opening remarks by Chair Thompson. Meeting agenda reviewed; no new business.  Introduction of commission members and other meeting attendees. All attendees please sign-in and provide e-mail addresses on circulating roster.		
	Discussion about “missed” reporting deadline of March 1, 2004 per RIGL 23-24.9-2.1. Commission was not appointed until April 2004. Chair Thompson sent a brief letter to House and Senate regarding the commission’s upcoming work to serve as the first interim report (attached). Upcoming reporting deadlines are September 1, 2004 and January 1, 2005.		
	<b>Conclusions:</b>		
	Commission has the ability and commitment to meet the legislative deadlines.		
	<b>Action items:</b>	Person responsible:	Deadline:
	E-mail updated roster to all Commission members.	M. Thompson	6/04/04
<b>Establishment of Meetings Calendar 2004</b>			
<b>Discussion:</b> Chair Thompson recommends morning meetings (10am – 12pm) on the third Friday of each month with keeping the fourth Friday of each month available as alternate or additonal meeting time when necessary.			
<b>Conclusions:</b>			
Meeting Calendar for 2004: June 18, July 16, August 20, September 17, October 15, November 19, and December 17.			
<b>Action items:</b>		Person responsible:	Deadline:
RI DEM to reserve meeting room and computer projector for the meeting calendar dates		E. Stone	6/04/04

## Meeting Rules

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**Discussion:** Chair Thompson reviews (open) meeting rules as they apply to the commission meetings.

**Conclusions:**

Informal environment with Roberts Rules (current version) when necessary.

Quorum: simple majority of 7 members plus the Chair.

Voting quorum: two-thirds of the members (8 members plus the Chair)

Distribute meeting minutes to the commission members electronically for comment and electronic approval. Approved meeting minutes will be posted on the RI Mercury Commission website: <http://www.state.ri.us/dem/topics/mercury>

Add contributions of articles, reports and website links to the Commission's website by e-mailing proposed additions to the Chair at [Marcy.Thompson@onsemi.com](mailto:Marcy.Thompson@onsemi.com)

**Action items:**

Person responsible:

Deadline:

Compose meeting minutes, distribute electronically and address feedback comments with the commission members.

E. Stone and M. Thompson

6/03/04

Setup motion/vote for approving the final draft of meeting minutes

M. Thompson

6/14/04

Post approved meeting minutes on website

E. Stone

6/15/04

## Historical Review of Legislation RIGL 23-24.9

**Discussion:** Chair Thompson outlines briefly a historical background and review of RIGL 23-24.9 Specific documents are available on the commission's website.

Historical Background:

Regional Mercury Resolution (1997)

Mercury Action Plan (1998)

NEWMOA (Northeast Waste Management Officials' Association) Draft Model Mercury Reduction Legislation (2000)

RIGL 23-24.9 (2001)

RI Mercury Working Advisory Group (2002)

Legislative Epiphany:

Highly complex undertaking requiring cooperation among ALL interested parties

Regulatory Implementation Incomplete with Unintended Consequences

Systems Planning is Critical

RIGL 23-24.9 amended July 9, 2003

RI Mercury Reduction Commission April 2004 – July 2005

**Conclusions:**

Not Applicable

**Action items:**

Person responsible:

Deadline:

Not Applicable

**Discussion.**

Chair Thompson reviews the Commission's Objectives per RIGL 23-24.9-2.1:

To study the system(s) for reducing and eliminating mercury hazards in RI;

Identify current and projected sources of mercury hazards;

Evaluate (existing mercury reduction) program(s) for efficiency and cost-effectiveness;

Align RI program to be consistent with other states for timing and approach where these states' efforts are effective;

Determine availability and effectiveness of mercury reduction programs for consumers and the public disposal and recycling facilities, education and

To file findings and final recommendations and/or appropriate amendments to law by January 1, 2005.

Chair Thompson expects cooperation, consensus and commitment from all commission members and stresses the need to examine legislation with common sense and realistic solutions.

Proposes a commission mission statement: The mission of this Commission is to prevent man-made sources of mercury from getting into the environment (air, water, soil).

Discussion: Peter Bleasby proposes modifying statement to reflect the fact that a significant amount of mercury in the form of emissions comes from outside the state of RI which we (the Commission) cannot control. Chair Thompson acknowledges that this is a factual premise and as a result understood and acknowledged by everyone.

Discussion: Proposal to address mercury toxicity, (environmentally and health-wise) in the mission statement. Chair Thompson explains that toxicity is a result of combining the hazard with exposure. If the Commission focus is to prevent sources of mercury from getting into the environment (cause) then as a result, theoretically, there would be no toxicity (effect).

Discussion: Proposal to address prevention education in the mission statement. Chair Thompson explains that education is a control strategy/method commonly employed to meet the objectives and as a result, not a goal in and of itself. RIGL 23-24.9-14 addresses education.

**Conclusions:**

Unanimous agreement on mission statement: The mission of this Commission is to prevent man-made sources of mercury from getting into the environment (air, water, soil).

**Action items:**

Person responsible:

Deadline:

Not Applicable

**Open Discussion 23-24.9-11**

Open Discussion of sections stayed under July 9, 2003:

23-24.9-11: Disclosure for mercury-added formulated products to Healthcare Facilities ( $\geq 1$  ppb)

Review Certificates of Analysis requirements

Discussion of rationale for this section and impact on healthcare facilities.

At the time of the senate committee hearings, the healthcare facilities and manufacturers were "okay" with this section.

**Conclusions:**

Commission unanimously recommends no changes to this section.

**Action items:**

Person responsible:

Deadline:

RIDEM to contact RI hospitals and Soap & Detergent Manufacturers regarding the level of their satisfaction with language adopted.

T. Gray

6/18/04

Open Discussion of sections stayed under July 9, 2003:

23-24.9-8: Labeling

Lights: Peter Bleasby displays different products/packaging for lights that demonstrates an already established label used by light and lamp manufacturers: the letters Hg surrounded by a circle, etc. Other states (VT, WA, CA) have labeling requirements already in place. (Refer to [www.lamprecycle.org](http://www.lamprecycle.org))

Lamps: Jason Linnell informs the commission that most mercury lamps are similarly labeled.

Additional discussion about mercury containing products such as switches, relays and thermostats.

**Conclusions:**

Compliance with other states for labeling is acceptable;

Existing manufacturers' labeling is acceptable; and

Large use applications sections (b) 1 and 2 are acceptable

**Action items:**

Person responsible:

Deadline:

Review wording from other states for adoption into RIGL 23-249-8.

ALL

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Decide whether warning in enclosed instructions (where already provided) is acceptable for products whose only mercury component is a mercury-added lamp.

ALL

6/18/04

Open Discussion of sections stayed under July 9, 2003:

23-24.9-9: Disposal Bans

23-24.9-10: Collection

“9” section bans disposal for almost all mercury-added products, including mercury-added products considered “non-hazardous” under EPA/RCRA. It does not set de minimis levels. It exempts button cell batteries, motor vehicle components and household consumers.

Existing RI regulation bans disposal of hazardous waste generated by businesses, but not household consumers. As “end users”, businesses are responsible for safely disposing of the hazardous waste they generate. With the implementation of – 9 section, businesses add to their hazwaste list all mercury-added products.

Discussion about whether to continue disposal ban exemption for household consumers. This leads to discussion on existing state collection efforts of mercury-added products used by consumers. Dr. Bob Vanderslice describes current collection activities by RI Dept. of Health. Terry Gray discusses efforts undertaken by the RI DEM in conjunction with the RI Resource Recovery Commission (RI RRC).

Discussion about the importance of public education (consumers and small businesses) with regard to disposal ban and recycling mercury-added products. (Reference to Section –14)

#### Conclusions:

RI DEM / RI RRC to decide appropriate collection procedures for mercury-containing products in order to provide a cost efficient waste collection and recycling program at the state level.

#### Action items:

Person responsible:

Deadline:

Provide qualitative and quantitative information regarding the following:

ALL

6/18/04

How much mercury waste do households generate?

How much household hazardous waste ends up in the landfill?

What percentage of households comply with existing recycling requirements (for other products)?

Is possible decision not to exempt household consumers reasonably enforceable?

Recommend policy/procedure for appropriate collection of mercury-added products on the state level and define role of RI RRC.

T. Gray, R. Vanderslice

6/18/04

Provide information on existing mercury-related collection efforts inside and outside of RI.

ALL

6/18/04

## Summary and Action Plan

**Discussion:** ability of commission to meet regulatory deadlines with respect to recommendations of changes to regulation to the legislature in respect to restrictive legislative calendar and implementation date of the regulation as it currently stands.

#### Conclusions:

Commission should be able to meet both the September and January reporting requirements. Subsequent legislative action would occur in Q-1/Q-2 of 2005.

#### Action items:

Person responsible:

Deadline:

Add periodic review of this issue to monthly agenda

M. Thompson

6/14/04

**Discussion:** A suggestion was made to move the issue of phase-outs to the top of the agenda as this is the most controversial. Dr. Nick Tsiongas advises to stay with the current course (order) because of the group's current positive momentum. Other comments concur with Dr. Tsiongas.

**Conclusions:**

Keep the current order of discussion as originally planned: labeling, disposal ban, collection plans/systems, violations, and phase-outs (-7), other sections as becomes necessary such as education (-14) and notification.

**Action items:**

	Person responsible:	Deadline:
Submit recommendations for agenda to Chair.	ALL	6/07/04
Establish June agenda.	M. Thompson	
Post as required by law.	E. Stone	
Contact RI RRC regarding importance of their attendance at June meeting.	M. Thompson	Prior to 6/18/04

**Adjournment**

Chair Thompson adjourned the meeting at approximately 12:10 pm.

Recorded by Elizabeth S. Stone of RI DEM

Reviewed and Edited by Marcella R. Thompson, Chair

Version 2.1: 04Jun04 corrected for spelling errors, duplicate statements

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**Summary of All Open Action Items****7 of 7 pages**

<b>Action Item:</b>	<b>Person responsible:</b>	<b>Deadline:</b>
E-mail updated roster to all Commission members.	M. Thompson	6/04/04
RI DEM to reserve meeting room and computer projector for the meeting calendar dates	E. Stone	6/04/04
Compose meeting minutes, distribute electronically and address feedback comments with the commission members.	E. Stone and M. Thompson	6/03/04
Setup motion/vote for approving the final draft of meeting minutes	M. Thompson	6/14/04
Post approved meeting minutes on website	E. Stone	6/15/04
RIDEM to contact RI hospitals and Soap & Detergent Manufacturers regarding the level of their satisfaction with language adopted.	T. Gray	6/18/04
Review wording from other states for adoption into RIGL 23-249-8.	ALL	6/18/04
Decide whether warning in enclosed instructions (where already provided) is acceptable for products whose only mercury component is a mercury-added lamp.	ALL	6/18/04
Provide qualitative and quantitative information regarding the following: How much mercury waste do households generate? How much household hazardous waste ends up in the landfill? What percentage of households comply with existing recycling requirements (for other products)? Is possible decision not to exempt household consumers reasonably enforceable?	ALL	6/18/04
Recommend policy/procedure for appropriate collection of mercury-added products on the state level and define role of RI RRC.	T. Gray, R. Vanderslice	6/18/04
Provide information on existing mercury-related collection efforts inside and outside of RI.	ALL	6/18/04
Add periodic review of the regulatory calendar issue to monthly agenda	M. Thompson	6/14/04
Submit recommendations for agenda to Chair.	ALL	6/07/04
Establish June agenda.	M. Thompson	
Post as required by law.	E. Stone	
Contact RI RRC regarding importance of their attendance at June meeting.	M. Thompson	Prior to 6/18/04

END